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April 1, 2025

By Email

Yetta G. Kurland
The Kurland Group
86 Broad Street, 28th Floor
New York, New York 10004

Re: *Local 2507 et al. v. City of New York*, 22-cv-10036 (AT) (GWG)

Dear Counsel:

We write in connection with the City's February 25, 2025 ESI proposal and Plaintiffs' March 7, 2025 response, and to provide an updated ESI proposal for Request for Production ("RFP") Nos. 7 and 8 in Plaintiffs' Second Supplemental Combined Set of Interrogatories and Request for Production of Documents, dated June 1, 2023 (the "June 2023 Requests") and RFP Nos. 24, 38-41 in Plaintiffs' Fourth Combined Set of Interrogatories and Request for Production of Documents, dated December 10, 2024 (the "December 2024 Requests").

December 2024 Request No. 24

As part of the City's search for documents responsive to RFP No. 24, the City proposes the following custodians and search terms for RFP No. 24 for the time period beginning January 1, 2016.¹

¹ The City will agree to collect custodian emails to the extent reasonably available and apply the search terms as set forth in this letter. The City has identified job titles for the proposed custodians for the jobs they held during the applicable proposed time period.

Proposed Custodians

Name	Agency	Title
Steven Banks	OLR	Associate Commissioner (September 2015-September 2018); First Deputy Commissioner & General Counsel (February 2019-January 2022)
Matthew Campese	OLR	Assistant Commissioner (2020-2024)
Renee Campion	OLR	First Deputy Commissioner (July 2014-January 2019); Commissioner (February 2019-Present)
Regina Fuchs	OLR	Assistant Commissioner – Director of Research (August 2012-December 2023)
Kerry Gao	OMB	Deputy Assistant Director (July 2015-September 2016); Assistant Director (September 2016-April 2023); Senior Assistant Director (April 2023-Present)
Ken Godiner	OMB	Deputy Director (July 2015-February 2018); First Deputy Budget Director (February 2018-Present)
Robert Linn	OLR	Commissioner (January 2014-February 2019)
Daniel Pollak	OLR	Assistant Commissioner (November 2015-October 2018); Associate Commissioner (October 2018-February 2022); First Deputy Commissioner (February 2022-Present)

Proposed Search Terms

The City proposes the following search terms:

- (EMS or EMT* OR paramedic*) AND “equal pay”
- (EMS or EMT* OR paramedic*) AND “job analysis”
- (EMS or EMT* OR paramedic*) AND “pattern bargaining”
- (EMS or EMT* OR paramedic*) AND “pay disparity”
- (EMS or EMT* OR paramedic*) w/10 (civilian AND (bargaining OR pattern))
- (EMS or EMT* OR paramedic*) w/10 (uniform* AND (bargaining OR pattern))
- (EMS or EMT* OR paramedic*) w/10 pay

December 2024 Request No. 38

Plaintiffs agree to the custodians and search terms the City proposed in our February 25, 2025 letter and proposed that the City add the search term “12-307.” The City agrees to add this search term. Accordingly, the parties agree concerning the proposal for RFP No. 38.

December 2024 Requests Nos. 39-41

Plaintiffs did not propose any edits to the City’s February 25, 2025 proposal. Accordingly, the parties have agreed to these proposed custodians and search terms for RFP Nos. 39-41.

June 2023 Request No. 7

In their March 7, 2025 email, Plaintiffs requested, for the first time, “ESI related to” RFP No. 7, which states: “Please produce the missing agreements including MOUs MOAs and side agreements not yet produced, including but not limited to any agreements, letters, or memorandums, that includes terms or conditions of employment for FDNY First Responders for the period of 2016 to present.” Plaintiffs requested a search for the OLR custodians.

As the City has explained to Plaintiffs, the City has produced all the agreements (*i.e.* memoranda of agreements, collective bargaining agreements and side letters) located following a reasonable, good faith search and is not aware of any agreements that are missing for this time period. *See* the City’s March 10, 2025 Letter. Additionally, the plain language of this RFP does not request “ESI related to” the discrete categories of documents requested in this RFP, and the deadline to request new documents passed on February 28, 2025. *See* Dkt. 203.

Nonetheless, to avoid wasting time and resources to dispute this issue, the City will agree as a compromise to the following proposal for the time period beginning January 1, 2016:

Proposed Custodians

Name	Agency	Title
Steven Banks	OLR	Associate Commissioner (September 2015-September 2018); First Deputy Commissioner & General Counsel (February 2019-January 2022)
Matthew Campese	OLR	Assistant Commissioner (2020-2024)
Renee Campion	OLR	First Deputy Commissioner (July 2014-January 2019); Commissioner (February 2019-Present)
Regina Fuchs	OLR	Assistant Commissioner (August 2012-December 2023)
Robert Linn	OLR	Commissioner (January 2014-February 2019)

Name	Agency	Title
Daniel Pollak	OLR	Assistant Commissioner (November 2015-October 2018); Associate Commissioner (October 2018-February 2022); First Deputy Commissioner (February 2022-Present)

Proposed Search Terms

Plaintiffs proposed the following search terms on March 7, 2025:

- “Memorandum of Agreement”
- “Memorandum of Understanding”
- “MOA”
- “MOU”
- “side letter”

The City proposes below modifications to Plaintiffs’ proposal to address two issues. First, as Plaintiffs know, OLR is the agency responsible for negotiating collective bargaining agreements in connection with all of the City’s bargaining units. The terms Plaintiffs proposed, without any limiters, would hit on irrelevant documents that have nothing to do with the collective bargaining negotiations underlying Plaintiffs’ allegations in this case concerning EMS personnel because OLR negotiates memoranda of agreements, collective bargaining agreements, etc. with all of the bargaining units. Second, the search Plaintiffs proposed yielded 26,734 documents with hits, including groups, which is unreasonably burdensome and disproportionate to the needs of the case. Accordingly, the City proposes limiting each of Plaintiffs’ proposed search terms with the following search terms:

- AND (“emergency medical services” OR “emergency medical technician” OR “emergency medical technicians” OR “paramedic” OR “EMS” OR “EMT”)

For example, instead of searching for “MOA”, the City agrees to search for:

- MOA AND “emergency medical services”;
- MOA AND “emergency medical technician”;
- MOA AND “emergency medical technicians”;
- MOA AND paramedic;
- MOA AND EMS; and
- MOA AND EMT.

June 2023 Request No. 8***Proposed Custodians***

Name	Agency	Title
Robert Linn	OLR	Commissioner (January 2014-February 2019)
Ken Godiner	OMB	Associate Director (July 2013-July 2015); Deputy Director (July 2015-February 2018); First Deputy Budget Director (February 2018-Present)

Plaintiffs agreed to the search terms in the City's February 25, 2025 letter and requested that the City add the following additional search terms:

- “disability pension benefit”
- “disability pension benefits”

The City will agree to add these search terms. Accordingly, the parties agree concerning RFP No. 8.

* * *

Please let us know as soon as possible and no later than April 8, 2025 if you have any proposed revisions to the custodians or search terms. If you do not let us know by then, we will proceed with our proposal.

Sincerely,

/s/ Lora Minicucci

Lora Minicucci
Assistant Corporation Counsel